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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,937

03/23/2005

Wilhelmus Van Gestel

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

ANYIKIRE, CHIKAODILI E

ART UNIT

PAPER NUMBER

2621

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DELIVERY MODE

03/10/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/528,937	Applicant(s) VAN GESTEL ET AL.	
	Examiner CHIKAODILI E. ANYIKIRE	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2005 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application is responsive to application number (10/528937) filed March 23, 2005. Claims 1-21 are pending and have been examined.

Information Disclosure Statement

2. Acknowledgement is made of applicant's information disclosure statement.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-21 rejected under 35 U.S.C. 102(b) as being anticipated by Hirayama et al (US 5,652,824).

A per **claim 1**, Hirayama discloses a method for recording an information stream on a record medium, the information stream comprising:

at least one basic part (Fig 2A element D#0) and at least one optional part (Fig 2A element D#1-D#7), wherein a first information stream is recorded which contains at least one of said basic parts, and wherein at least one of said optional parts is recorded

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as a second information stream separate from the first information stream (column 6 lines 26 – 39; Hirayama discloses some essential parts to a movie and then further discusses some optional parts that are recorded).

As per **claim 2**, Hirayama discloses a method according to claim 1, wherein the information stream comprises a background sound stream (column 6 lines 28 – 31), an optional original sound stream containing original spoken text (column 6 lines 36 – 40), and at least one optional translation sound stream containing spoken text in languages different from the original spoken text (column 6 lines 43 – 48), wherein the optional translation sound streams are each recorded as individual elementary audio files (Figs 2A-2E; Hirayama display the different languages as separate files that can be reproduced).

As per **claim 3**, Hirayama discloses a method according to claim 2, wherein the optional original sound stream is recorded as an individual elementary audio file, and wherein the first information stream only contains the background sound stream and is recorded as an individual elementary audio file (column 6 lines 28 -40; Hirayama displays the first information stream only containing the background sound stream in Fig 2A element D#0 and Fig 2A element D#1 shows the optional original sound stream).

As per **claim 4**, Hirayama discloses a method according to claim 2, wherein the first information stream contains a mixture of the basic sound stream and the optional original sound stream (column 6 lines 28 – 48).

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As per **claim 5**, Hiramaya discloses a method according to claim 1, wherein the information stream (M) comprises moving pictures, an optional background graphics, and at least one optional subtitle containing subtitles, wherein the optional background graphics and the optional subtitle graphics are each recorded as individual elementary graphics streams (column 6 lines 21-31 and lines 50 - 60).

As per **claim 6**, Hirayama discloses a method according to claim 5, wherein the subtitles are recorded through character coding (column 6 lines 49 – 59).

Regarding **claim 7**, arguments analogous to those presented for claim 2 and 5 are applicable for claim 7.

Regarding **claim 8**, arguments analogous to those presented for claim 3 are applicable for claim 8.

Regarding **claim 9**, arguments analogous to those presented for claim 3 and 4 are applicable for claim 9.

Regarding **claim 10**, arguments analogous to those presented for claim 4 are applicable for claim 10.

As per **claim 11**, Hirayama discloses a method according to claim 1, wherein the record medium is an optical disc (column 5 lines 15 -18).

Regarding **claim 12**, arguments analogous to those presented for claim 3, 4, and 11 are applicable for claim 12.

Regarding **claim 13**, arguments analogous to those presented for claim 6 and 11 are applicable for claim 13.

Regarding **claim 14**, Hiramaya discloses a drive for reading a record medium according to claim 12, the drive being adapted to read the background audio stream and to provide a first output audio stream on the basis of the background audio stream; the drive further being adapted to optionally read a selected one of said individual elementary audio streams and to provide a second output audio stream on the basis of the selected individual elementary audio stream (Fig 1; column 5 lines 15 – 39 and further arguments are analogous to those presented for claim 12).

Regarding **claim 15**, arguments analogous to those presented for claim 6 and 14 are applicable for claim 15.

As per **claim 16**, Hiramaya discloses a player for playing a record medium according to claim 12, comprising a drive according to claim 14, the player comprising audio mixing means for mixing two audio streams received from the drive to create an audio signal (Fig 1; column 5 lines 15 – 39).

As per **claim 17**, Hiramaya discloses a player according to claim 16, further comprising user input means for allowing a user to input a selection of an individual elementary audio stream, the player being designed to instruct the drive to read the selected audio stream (column 6 lines 34 – 39).

As per **claim 18**, Hiramaya discloses a player for playing a record medium according to claim 13, comprising a drive according to claim 15, the player comprising

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video mixing means for mixing two elementary graphics streams received from the drive to create a mixed graphics stream (column 5 lines 46 – 50).

As per **claim 19**, Hiramaya discloses a player according to claim 18, further comprising user input means for allowing a user to input a selection of an individual elementary graphics stream, the player being designed to instruct the drive to read the selected graphics stream (column 6 lines 34 – 39).

As per **claim 20**, Hiramaya discloses a player according to claim 18, further comprising combiner means for receiving the mixed graphics stream and the background video stream and for combining these streams to generate an output video signal (column 5 lines 46 – 50).

As per **claim 21**, Hiramaya discloses an audio/video reproduction system, comprising a player according to any of claims 16-20, the system further comprising a display device for coupling to at least one output of the player, which display device comprises at least one screen for displaying images and at least one loudspeaker for generating sound (column 6 lines 28 - 50; Hirayama suggests that a display and speaker are provided to view and hear video and sound).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIKAODILI E. ANYIKIRE whose telephone number is

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(571)270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272 - 7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/Chikaodili Anyikire/
Patent Examiner AU 2621